

Indigenous Law & Environmental Justice

By Anna Hohag, Bishop Paiute Tribe



It is an honor to share my journey & my people's story with *Indigenous Stewards* magazine!

Payahuunadu sunset - Courtesy of Anna Hohag

Manahuu! (Hello!) i-naniane Anna Hohag. I am a proud citizen of the Bishop Paiute Tribe located in the Owens Valley of California. I am a proud University of Arizona Wildcat and recent graduate from the James E. Rogers College of Law where I specialized in Indigenous Peoples Law & Policy and Water Policy. Just recently I took the California Bar Exam and started a legal fellowship with California Indian Legal Services, a nonprofit law firm working to protect tribal sovereignty, the rights of tribes and the civil rights of Native American individuals.

Why Law School?

To be quite honest, I never imagined in a million years that I would go to law school. I never had the prototype "argumentative personality" and I always avoided any form of confrontation. In fact, I never thought I was smart enough to even consider law school. But what changed is when I, for the first time, got access to the true history of our Native people, the true "American" history. Who knew access to our own history could ignite such a passion, even if most of the time that truth ignited sadness and anger? I finally learned why I grew up on a "reservation," why our ancestors went to boarding schools and why this country needed us to be construed as inferior people. Because if not for that, my peoples' lands, water, culture, and dignity would not have been taken away from us or pushed almost to the brink of extinction. It was that final straw, plus a friend nearly holding me at a figurative gunpoint, that made me break down and apply to law school.

We are all raised to know the importance of our tribal communities – our families – and we are also all innately raised with that expectation in ourselves that we will fulfill some kind of positive role in our communities. I never knew what my role would be until I decided to go to law school. I knew that if our ancestors were so resilient, then heck, we've each got to have a little bit of that in us too right? They were survivors, so the least I could do is survive law school.

My People

My people come from the Owens Valley region in California, or in our nüümü language, the area we know as Payahüünadü or the "place of flowing water." Our people engineered complex water irrigation systems throughout our entire valley, one of the deepest valleys in North America. This connection that our people, and most indigenous peoples have with the water is more than just a dependency, it's a cherished relationship with a living universe.

My peoples' traditional water management systems, including flood irrigation and the manipulation and spreading of water across the valley, were instrumental in helping our ecosystem bloom since the beginning of time. Our elders and stories tell us of times when our entire valley consisted of wetlands, marshlands, and swamps – making for an abundance of crops, animals, hunting and fishing grounds, and simply put: a good life.



A severe dust storm at Owens Lake currently known as **Owens Dry Lake**. This went dry as a result of water diversion to L.A. It also led to a Clean Air Act lawsuit which resulted in LA having to mitigate dust. Over \$1 billion was spent in mitigation efforts - Courtesy of Anna Hohag



The Place of Flowing Water, what our people call, **Payahuunadu**. Wetland in Bishop, CA. Courtesy of Anna Hohag

Our stories also reveal important people in the management and oversight of water in the region, like the Pa:hy:ta:kod:zo:va:ah (the man that ruled the water or ocean) and Pa-ya-ta-ca-ioa (one who cares for the water). Both were watchmen of the water, just as a watchman watches a dam. In our culture we had water irrigators and water managers who held high positions in our society and were very well respected. This is because water is life, or in our language, Paya-ii tuihiimüna ahoko adütsüngüna.

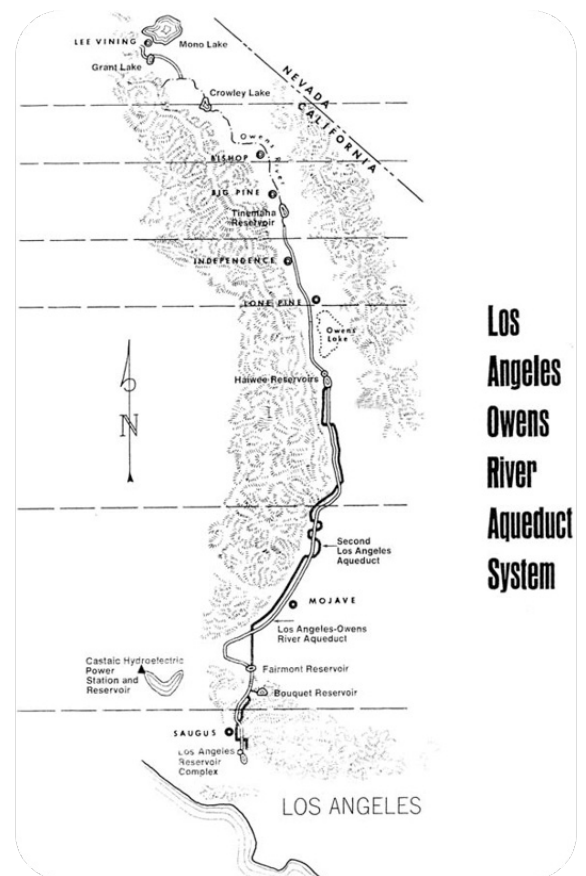
Policies & Laws

One thing I've learned throughout law school is that most of the laws and policies in the United States were not made to benefit tribes, but rather were made to help facilitate the destruction of Native people and culture and the exploitation of our Mother Earth. The water laws that govern most tribes were founded by mining, meaning they are based on extraction. Even the praised Indian reserved water rights do not protect the water resources of most tribes in the U.S. because they are dependent on reservation establishment dates and an irrigable (agricultural) acreage standard. These legal frameworks do not match culturally with many tribes nor does it recognize the existence of tribal homelands for the thousands of years prior to the establishment of the reservation system. Unfortunately, these are the types of long standing laws and policies that we as Native students must learn to either work around or help shape future policies that benefit more of our peoples and for future generations to come. Contrary to current policies, we must implement policies that work to conserve our water and land resources, and what better way to do so than to turn to traditional ecological knowledge and indigenous knowledge systems that have worked for our people and the environment since time immemorial.

Moving Forward: What can we do?

So what can we do and how do we move forward? We can continue to tell our stories, prove to our peers, politicians, and scientists that no other people have as long standing a relationship with our lands and ecosystems, and so no one else is better equipped with the knowledge to find long lasting solutions. We can continue to make decisions for our future generations—and we can continue to inspire and encourage our next generation of Native youth. We can learn as much as we can about our people, our language, and our culture. There is so much knowledge and LAW to be learned through our own language and our own lands.

We are living in a time where societies all over the world are looking for solutions on how to stop inevitable environmental crises as a result of natural resource exploitation, environmental contamination, and climate change. As Native people, we have a very important role in this next chapter. By using our traditional ecological knowledge systems, we can in a sense turn to our ancestors





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for the answers: the answers lie in our stories that have been passed down for thousands of years. These stories teach botany, science, and environmental management – the things that are necessary for our intrinsic relationship with our lands – but we didn’t learn these in universities; these were things that were taught by people who practiced these techniques and proved them for centuries. We can continue off of the momentum of movements like Standing Rock and create more grassroots movements for change and recognition of tribal rights!

The UA & IPLP

I am forever grateful for the experience and community that the University of Arizona provided me. The Indigenous Peoples Law and Policy (IPLP) program at the James E. Rogers College of Law was more than I ever dreamed it would be for me. I received a top notch and well-rounded legal education in Federal Indian Law, International Indigenous Human Rights Law, and Tribal Customary Law. The community and friends I made in Tucson and across the campus helped support and encourage me throughout the three rigorous years of law school. At the risk of sounding incredibly nerdy – I had a blast!

I have no doubt that Indian Country will be in good hands because of the law students I met at Arizona Law and the passion for furthering indigenous rights that is cultivated throughout the IPLP program. Finally, I am grateful for the connections and opportunities that UA has provided me with as a Native student. I was invited to speak at an international environmental youth conference alongside President Alejandro Toledo and share my peoples’ century long battle for water rights and a healthy environment. I was also able to sit on the National NALSA board for two years, which gave me the opportunity to share our peoples’ story, “Paya: The Water Story of the Paiute,” with law students and attorneys all over the country. As a result of that our community has had numerous law and graduate students volunteer their spring and summer breaks to come conduct water rights research for our people. For these reasons (and many more) I am so proud to call myself a Wildcat and UA Alum.



For nearly three decades, the Indigenous Peoples Law and Policy (IPLP) Program has been a leader in the field of American Indian and indigenous peoples law, policy, and human rights. IPLP’s mission is to increase the representation of Native and indigenous lawyers and advocates within the practice of law and legal academia and to recruit and mentor the next generation of Native lawyers and advocates working to promote tribal sovereignty, human rights and the self-determination of indigenous communities.



For more information Visit:
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